



CNR: KAHC010486762023

NC: 2026:KHC:42207
WP No. 20960 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 10TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 20960 OF 2023 (GM-PDS)

BETWEEN:

S. NARASIMHAPPA
S/O LATE SIDDARAMAPPA
AGED ABOUT 60 YEARS
R/O G SHANTHENAHALLY VILLAGE
KASABA HOBLI
HOLALKERE TALUK
CHITRADURGA DISTRICT-577 526.

...PETITIONER

(BY SRI. SHIVARAMU H C.,ADVOCATE)

AND:

1. THE JOINT DIRECTOR OF FOOD
AND CIVIL SUPPLIES
CHITRADURGA DISTRICT
CHITRADURGA-577 501.
2. THE THASILDAR
HOLALKERE TALUK
HOLALKERE-577 526
CHITRADURGA DISTRICT.
3. CHANDRAPPA R
S/O K RAJAPPA
MAJOR
R/O THIRUMALAPURA VILLAGE
HOLALKERE TALUK - 577 526
CHITRADURGA DISTRICT.

...RESPONDENTS

Digitally
signed by
SUMA B N
Location:
HIGH COURT
OF
KARNATAKA



CNR: KAHC010486762023

NC: 2026:KHC:42207
WP No. 20960 of 2023

(BY SRI. SRINIVAS KUMAR M., HCGP FOR R1 AND R2;
SRI. KARTHIK YADAV V., ADVOCATE FOR R3)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO i) DIRECTION TO QUASH THE ORDER DATED 19/07/2023 PASSED BY THE R1 IN HIS ORDER NO. CSD/NEW FPD/CR/237/2022-23 AT ANNEXURE-B AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

1. Petitioner who was granted authorization by the Deputy Commissioner under the provisions of the Karnataka Essential Commodities (PDS) Control Order, 2016 to run fair price depot at G. Shanthenahalli (Guddada Shanthenahalli) is before this Court being aggrieved by the notification dated 20.02.2023 as per Annexure-A issued by the respondent No.1-Joint Director, in terms of which the respondent No.1-Joint Director has called for applications for opening up of fair price depot at Tirumalapura with 233 cards.
2. Learned counsel for the petitioner referring to the Clause 11(2) of the Karnataka Essential Commodities (PDS)



CNR: KAHC010486762023

NC: 2026:KHC:42207
WP No. 20960 of 2023

Control Order, 2016, submits that since the fair price depot belonging to the petitioner is situated within the rural area, the minimum number of cards cannot be reduced below 500 and if the intended notification is given effect-to, providing for establishment of another fair price shop with 233 cards, which otherwise is within the area of operation of the petitioner's fair price shop, the same would reduce the number of cards below the statutory minimum requirement.

3. Learned AGA, on the other hand, submits that the petitioner has been given authorization to run fair price depot at 'Guddada Shantanally', which though includes 'Tirumalapura', both are different Villages. He submits that there is no prohibition in authorities opening another fair price depot to serve the needs of an isolated settlement or layout where the number of cards are below the limit prescribed under Clause 11(2) of the Karnataka Essential Commodities (PDS) Control Order, 2016.
4. He however submits respondent-Authorities be permitted to open the Fair price shop as per the notification and it



CNR: KAHC010486762023

NC: 2026:KHC:42207
WP No. 20960 of 2023

will be ensured that the minimum number of cards allotted to the petitioner would not be reduced below 500.

5. Submissions are placed on record.

6. Petition is ***disposed of***.

7. Respondent-Authorities may proceed with the intended notification as per Section-A in opening up a new fair price shop at Tirumalapura. However, they shall not reduce The minimum number of the petitioner below 500, which are already attached to the fair price of the petitioner.

Sd/-
(M.G.S. KAMAL)
JUDGE

RL
List No.: 1 Sl No.: 33